IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUNATION SHEET

CIVIL APPLICATION NO.215 OF 2007
IN
CIVIL REVISION APPLICATION ST.NO.14170 OF 2007

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Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	Court's or Judge's orders

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Mr.Lalit Jain for the Applicant
Respondent No.1 in person present.

CORAM: A.S.OKA, J.
DATE : JUNE 28,2007.

P.C.:

1. Heard Advocate for the Applicant. This is an application for condonation of delay in filing the Civil Revision Application against the order dated 27th September 2006 passed by the Appeal Bench of the Small Causes Court, Bombay. Order impugned has been passed on a notice taken out by the Applicant for grant of stay of execution of the decree passed by the learned Judge of the Small Causes Court pending the Appeal preferred by him. The order impugned is an interim order passed during the pendency of the Appeal. Even if the Civil Revision Application is allowed, it will not result into final

disposal of the main proceeding. Hence, in view of proviso to section 115 of the Code of Civil Procedure,1908, Revision Application is not maintainable for challenging the impugned order. Therefore, application for condonation of delay is not entertained. Accordingly, Application is rejected. Consequently, Civil Revision Application also stands rejected. Rejection of the Civil Revision Application will not preclude the Applicant from filing appropriate proceeding for challenging the impugned order.

JUDGE